UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
GRAHAM, CLEMENT B

ART UNIT	PAPER NUMBER
3628	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/532,933	WATANABE ET AL.
	Examiner	Art Unit	
	Clement B. Graham	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>March 12, 2004</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-24</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-24</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>8/5/05</u>.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1   Claims 1-24 remained pending.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such
that the subject matter as a whole would have been obvious at the time the invention was made to a person having
ordinary skill in the art to which said subject matter pertains. Patent ability shall not be negatived by the manner in
which the invention was made.

3.   Claims 1,15, are rejected under 35 U.S.C. 103(a) as being unpatentable Hereinafter

Giuliani U.S Patent 5,974, 399 in view of Hereinafter Sato U.S Patent 5,742, 039 .

        As per claim 1, Giuliani discloses an electronic commerce system aiding in a

purchase and a sale of a commodity, comprising:

a registered commodity data storing unit storing a desired sale or purchase price of a

commodity, and information about the commodity including a public condition a change

condition and a change price of the desired sale or purchase price. (Note abstract and see

column 1 line 65 and column 2 lines 5-65 and column 12 lines 1-24) and a unit changing a

price if the information about the change condition or the change price, which is registered

to said registered commodity data-storing unit, is satisfied. (See column 4 lines 5-45 and

column 9 lines 40-65 and column 6 lines 55-65).

        However Sato disclose the storing unit includes a storage area for storing control

information required for various sorts of processing, output information relevant to input

data, the storage area is used for storing information concerning registered commodities,

calculated sales money amount information. (See column 9 lines 15-25 and column 2 lines

5-65). It would have been obvious to one of ordinary skill in the art at the time the invention

was made to modify the teachings of Giuliani to include Sato in order to create an electronic

commerce system aiding in a purchase and a sale of a commodity.

The benefit would have been to the storing of all registered commodity data related to

purchase and a sale of a commodity.

        As per claim 15, Giuliani disclose an electronic commerce system aiding in a

purchase and a sale of a commodity, comprising:

storing unit storing a desired sale or purchase price of a commodity, and information about a change condition and a change price of the desired sale or purchase price. (Note abstract and see column 1 line 65 and column 2 lines 5-65). Giuliani also disclose a unit changing a price if the information about the change condition or the change price, which is registered to said registered commodity data-storing unit, is satisfied. (See column 4 lines 5-45 and column 9 lines 40-65 and column 6 55-65). However Sato disclose the storing unit includes a storage area for storing control information required for various sorts of processing, output information relevant to input data, the storage area is used for storing information concerning registered commodities, calculated sales money amount information. (See column 9 lines 15-25 and column 2 lines 5-65).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Giuliani to include Sato in order to create an electronic commerce system aiding in a purchase and a sale of a commodity. The benefit would have been to the storing of all commodity information related to purchase and a sale of a commodity.

4.   Claims 2-14, 16-24 are rejected under 35 U.S.C. 103(a) as being unpatentable Hereinafter Giuliani U.S Patent 5,974,399 in view of Hereinafter Sato U.S Patent 5,742,039 in further view of Hereinafter Champion U.S Patent 5,126,936.

As per claims 2, 6, 9, Giuliani disclose an electronic commerce system aiding in a purchase and a sale of a commodity, comprising:

a registered commodity data storing unit storing a desired sale or purchase price of a commodity, and information about a change condition and a change price of the desired sale or purchase price. (Note abstract and see column 1 line 65 and column 2 lines 5-65). Giuliani does not explicitly teach disclose searching unit searching for a desired price. However Sato disclose searching unit searching for a desired price.(See column 16 line 25). Sato also disclose delivery of commodity. (See column 6 lines 40-45). Sato does not explicitly teach information about a change condition and a change price of the desired price of a transaction partner that registers a sale of a designated commodity in response to a purchase request designating the commodity a desired price and information about a

change condition and a change price of the desired price of a transaction partner that registers a purchase of a designated commodity in response to a sale request designating the commodity, in registered commodity information stored in said registered commodity data storing unit. However Champion disclose searching unit searching for a desired price or and information about a change condition and a change price of the desired price of a transaction partner that registers a sale of a designated commodity in response to a purchase request designating the commodity.(See column 3 lines 15-25 and column 11 lines 40-65). Champion also disclose a desired price and information about a change condition and a change price of the desired price of a transaction partner that registers a purchase of a designated commodity in response to a sale request designating the commodity, in registered commodity information stored in said registered commodity data storing unit. (See column 4 lines 30-50 and column 11 line 60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Giuliani and Sato to include Champion in order to create an electronic commerce system aiding in a purchase and a sale of a commodity. The benefit

would have been to the ability to search for a desired price or and information about a change condition and a change price and storing of all registered commodity data related to purchase and a sale of a commodity.

As per claims 3, 7, Giuliani disclose an electronic commerce system aiding in a purchase and a sale of a commodity, comprising:

registered commodity data storing unit storing a desired sale or purchase price of a commodity, and information about a change condition and a change price of the desired sale or purchase price. (Note abstract and see column 1 line 65 and column 2 lines 5-65). Giuliani does not explicitly teach disclose searching unit searching for a desired price. However Sato disclose searching unit searching for a desired price.(See column 16 line 25). Sato also disclose delivery of commodity. (See column 6 lines 40-45). Sato does not explicitly teach information about a change condition and a change price of the desired price of a transaction partner that registers a sale of a designated commodity in response to a purchase request designating the commodity a desired price and information about a change condition and a change price of the desired price of a

transaction partner that registers a purchase of a designated commodity in response to a sale request designating the commodity, in registered commodity information stored in said registered commodity data storing unit. However Champion disclose searching unit searching for a desired price or and information about a change condition and a change price of the desired price of a transaction partner that registers a sale of a designated commodity in response to a purchase request designating the commodity.(See column 3 lines 15-25 and column 11 lines 40-65). Champion also disclose a desired price and information about a change condition and a change price of the desired price of a transaction partner that registers a purchase of a designated commodity in response to a sale request designating the commodity, in registered commodity information stored in said registered commodity data storing unit. (See column 4 lines 30-50 and column 11 line 60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Giuliani and Sato to include Champion in order to create an electronic commerce system aiding in a purchase and a sale of a commodity. The benefit would have been to the ability to search for a desired price or and information about a change condition and a change price and storing of all registered commodity data related to purchase and a sale of a commodity. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Giuliani and Sato to include Champion in order to create an electronic commerce system aiding in a purchase and a sale of a commodity. The benefit would have been to the ability to search for a desired price or and information about a change condition and a change price and storing of all registered commodity data related to purchase and a sale of a commodity.

As per claims 4, 5, 8, Giuliani disclose an electronic commerce system aiding in a purchase and a sale of a commodity, comprising:
registered commodity data storing unit storing a desired sale or purchase price of a commodity, and information about a change condition and a change price of the desired sale or purchase price. (Note abstract and see column 1 line 65 and column 2 lines 5-65). Giuliani does not explicitly teach disclose searching unit searching for a desired price. However Sato disclose searching unit searching for a desired price.(See column 16 line

25). Sato also disclose delivery of commodity. (See column 6 lines 40-45). Sato does not explicitly teach information about a change condition and a change price of the desired price of a transaction partner that registers a sale of a designated commodity in response to a purchase request designating the commodity a desired price and information about a change condition and a change price of the desired price of a transaction partner that registers a purchase of a designated commodity in response to a sale request designating the commodity, in registered commodity information stored in said registered commodity data storing unit.

However Champion disclose searching unit searching for a desired price or and information about a change condition and a change price of the desired price of a transaction partner that registers a sale of a designated commodity in response to a purchase request designating the commodity.(See column 3 lines 15-25 and column 11 lines 40-65). Champion also disclose a desired price and information about a change condition and a change price of the desired price of a transaction partner that registers a purchase of a designated commodity in response to a sale request designating the commodity, in registered commodity information stored in said registered commodity data storing unit. (See column 4 lines 30-50 and column 11 line 60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Giuliani and Sato to include Champion in order to create an electronic commerce system aiding in a purchase and a sale of a commodity. The benefit would have been to the ability to search for a desired price or and information about a change condition and a change price and storing of all registered commodity data related to purchase and a sale of a commodity.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Giuliani and Sato to include Champion in order to create an electronic commerce system aiding in a purchase and a sale of a commodity.

The benefit would have been to the ability to search for a desired price or and information about a change condition and a change price and storing of all registered commodity data related to purchase and a sale of a commodity.

As per claim 10, Giuliani disclose a electronic commerce system aiding in a purchase and a sale of a commodity, comprising:
a registered commodity data storing unit storing a desired sale or purchase price of a commodity, and information about a condition changing the desired sale or purchase price. (Note abstract and see column 1 line 65 and column 2 lines 5-65). Giuliani, Sato and Champion does not explicitly teach a registered commodity data storing unit storing a desired sale or purchase price of a commodity, and information about a condition changing the desired sale or purchase price depending on a time; and a unit changing a desired price of the , commodity when a time stored in said registered commodity data storing unit elapses. It would have obvious to one of ordinary skill in the art at the time the invention was made that the teachings of Giuliani modify to include Sato and Champion could have perform these functions of documenting time as it relates to conditions changes in purchase price and the elapses time of storing unit. The benefit would have been to document the price changes within a commodity and the time those changes occurs.

As claim 11, Giuliani disclose an electronic commerce system aiding in a purchase and a sale of a commodity, comprising:
a registered commodity data storing unit storing information about a sale or purchase desire of a commodity. (Note abstract and see column 1 line 65 and column 2 lines 5-65). Giuliani, Sato and Champion does not explicitly teach a registered commodity data storing unit storing information about a sale or purchase desire of a commodity along with a public condition, and a unit making the sale or purchase desire of the commodity public if the public condition stored in said registered commodity data storing unit is satisfied. It would have been obvious to one of ordinary skill in the art at the time the invention was made that the teachings of Giuliani modify to include Sato and Champion could have perform these functions of making the sale or purchase desire of the commodity public if the public condition stored in the registered commodity data storing unit is satisfied. The benefit would have been to have the public participating in the purchase and a sale of a commodity.

As per claim 12, Giuliani disclose a computer-readable storage medium on which is recorded a program for causing a computer to perform a process aiding in a purchase and a sale of a commodity, said process comprising:
 a registered commodity data storing unit storing a desired sale or purchase price of a commodity, and information about a change condition and a change price of the desired sale or purchase price. (Note abstract and see column 1 line 65 and column 2 lines 5-65). Giuliani does not explicitly teach disclose searching unit searching for a desired price. However Sato disclose searching unit searching for a desired price.(See column 16 line 25). Sato also disclose delivery of commodity. (See column 6 lines 40-45). Sato does not explicitly teach information about a change condition and a change price of the desired price of a transaction partner that registers a sale of a designated commodity in response to a purchase request designating the commodity a desired price and information about a change condition and a change price of the desired price of a transaction partner that registers a purchase of a designated commodity in response to a sale request designating the commodity, in registered commodity information stored in said registered commodity data storing unit. However Champion disclose searching unit searching for a desired price or and information about a change condition and a change price of the desired price of a transaction partner that registers a sale of a designated commodity in response to a purchase request designating the commodity.(See column 3 lines 15-25 and column 11 lines 40-65). Champion also disclose a desired price and information about a change condition and a change price of the desired price of a transaction partner that registers a purchase of a designated commodity in response to a sale request designating the commodity, in registered commodity information stored in said registered commodity data storing unit. (See column 4 lines 30-50 and column 11 line 60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Giuliani and Sato to include Champion in order to create an electronic commerce system aiding in a purchase and a sale of a commodity.
The benefit would have been to the ability to search for a desired price or and information about a change condition and a change price and storing of all registered commodity data related to purchase and a sale of a commodity. It would have been obvious to one of

ordinary skill in the art at the time the invention was made to modify the teachings of Giuliani and Sato to include Champion in order to create an electronic commerce system aiding in a purchase and a sale of a commodity. The benefit would have been to the ability to search for a desired price or and information about a change condition and a change price and storing of all registered commodity data related to purchase and a sale of a commodity.

As per claim 13, Giuliani disclose a computer-readable storage medium on which is recorded a program for causing a computer to perform a process aiding in a purchase and a sale of a commodity, said process comprising: a registered commodity data storing unit storing a desired sale or purchase price of a commodity, and information about a condition changing the desired sale or purchase price. (Note abstract and see column 1 line 65 and column 2 lines 5-65). Giuliani, Sato and Champion does not explicitly teach a registered commodity data storing unit storing a desired sale or purchase price of a commodity, and information about a condition changing the desired sale or purchase price depending on a time; and a unit changing a desired price of the commodity when a time stored in said registered commodity data storing unit elapses. It would have obvious to one of ordinary skill in the art at the time the invention was made that the teachings of Giuliani modify to include Sato and Champion could have perform these functions of documenting time as it relates to conditions changes in purchase price and the elapses time of storing unit. The benefit would have been to document the price changes within a commodity and the time those changes occurs.

As per claim 14, Giuliani disclose a computer-readable storage medium on which is recorded a program for causing a computer to perform a process aiding in a purchase and a sale of a commodity, said process comprising: a registered commodity data storing unit storing information about a sale or purchase desire of a commodity. (Note abstract and see column 1 line 65 and column 2 lines 5-65). Giuliani, Sato and Champion does not explicitly teach a registered commodity data storing unit storing information about a sale or purchase desire of a commodity along with a public condition, and a unit making the sale or purchase desire of the commodity public if the public condition stored in said registered commodity data storing unit is satisfied.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the teachings of Giuliani modify to include Sato and Champion could have perform these functions of making the sale or purchase desire of the commodity public if the public condition stored in the registered commodity data storing unit is satisfied. The benefit would have been to have the public participating in the purchase and a sale of a commodity.

As per claim 16, Giuliani disclose a electronic commerce method aiding in a purchase and a sale of a commodity in an electronic commerce system, comprising: storing a desired sale or purchase price of a commodity, and information about a change condition and a change price of the desired sale or purchase price. (Note abstract and see column 1 line 65 and column 2 lines 5-65).

Giuliani fail to explicitly teach disclose searching unit searching for a desired price.
However Sato disclose searching unit searching for a desired price .(See column 16 line 25). Sato also disclose delivery of commodity. (See column 6 lines 40-45).

Sato fail to explicitly teach information about a change condition and a change price of the desired price of a transaction partner that registers a sale of a designated commodity in response to a purchase request designating the commodity a desired price and information about a change condition and a change price of the desired price of a transaction partner that registers a purchase of a designated commodity in response to a sale request designating the commodity, in registered commodity information stored in said registered commodity data information about a change condition and a change price of the desired price of a transaction partner that registers a sale of a designated commodity in response to a purchase request designating the commodity.(See column 3 lines 15-25 and column 11 lines 40-65). Champion also disclose a desired price and information about a change condition and a change price of the desired price of a transaction partner that registers a purchase of a designated commodity in response to a sale request designating the commodity, in registered commodity information stored in said registered commodity data storing unit. (See column 4 lines 30-50 and column 11 line 60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Giuliani and Sato to include Champion in

order to create an electronic commerce system aiding in a purchase and a sale of a commodity. The benefit would have been to the ability to search for a desired price or and information about a change condition and a change price and storing of all registered commodity data related to purchase and a sale of a commodity.

As per claim 17, Giuliani disclose an electronic commerce method aiding in a purchase and a sale of a commodity in an electronic commerce system, comprising: storing a desired sale or purchase price of a commodity, and information about a change condition and a change price of the desired sale or purchase price. (Note abstract and see column 1 line 65 and column 2 lines 5-65). Giuliani does not explicitly teach disclose searching unit searching for a desired price. However Sato disclose searching unit searching for a desired price.(See column 16 line 25). Sato also disclose delivery of commodity. (See column 6 lines 40-45). Sato does not explicitly teach information about a change condition and a change price of the desired price of a transaction partner that registers a sale of a designated commodity in response to a purchase request designating the commodity a desired price and information about a change condition and a change price of the desired price of a transaction partner that registers a purchase of a designated commodity in response to a sale request designating the commodity, in registered commodity information stored in said registered commodity data storing unit. However Champion disclose searching unit searching for a desired price or and information about a change condition and a change price of the desired price of a transaction partner that registers a sale of a designated commodity in response to a purchase request designating the commodity.(See column 3 lines 15-25 and column 11 lines 40-65). Champion also disclose a desired price and information about a change condition and a change price of the desired price of a transaction partner that registers a purchase of a designated commodity in response to a sale request designating the commodity, in registered commodity information stored in said registered commodity data storing unit. (See column 4 lines 30-50 and column 11 line 60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Giuliani and Sato to include Champion in order to create an electronic commerce system aiding in a purchase and a sale of a commodity. The benefit would have been to the ability

to search for a desired price or and information about a change condition and a change price and storing of all registered commodity data related to purchase and a sale of a commodity.

As per claim 18, Giuliani disclose an electronic commerce method aiding in a purchase and a sale of a commodity in an electronic commerce system, comprising: storing a desired sale or purchase price of a commodity, and information about a change condition and a change price of the desired sale or purchase price. (Note abstract and see column 1 line 65 and column 2 lines 5-65). Giuliani does not explicitly teach disclose searching unit searching for a desired price. However Sato disclose searching unit searching for a desired price.(See column 16 line 25). Sato also disclose delivery of commodity. (See column 6 lines 40-45). Sato does not explicitly teach information about a change condition and a change price of the desired price of a transaction partner that registers a sale of a designated commodity in response to a purchase request designating the commodity a desired price and information about a change condition and a change price of the desired price of a transaction partner that registers a purchase of a designated commodity in response to a sale request designating the commodity, in registered commodity information stored in said registered commodity data storing unit. However Champion disclose searching unit searching for a desired price or and information about a change condition and a change price of the desired price of a transaction partner that registers a sale of a designated commodity in response to a purchase request designating the commodity.(See column 3 lines 15-25 and column 11 lines 40-65). Champion also disclose a desired price and information about a change condition and a change price of the desired price of a transaction partner that registers a purchase of a designated commodity in response to a sale request designating the commodity, in registered commodity information stored in said registered commodity data storing unit. (See column 4 lines 30-50 and column 11 line 60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Giuliani and Sato to include Champion in order to create an electronic commerce system aiding in a purchase and a sale of a commodity. The benefit would have been to the ability to search for a desired price or and information about a change condition and a change price and storing of all registered

commodity data related to purchase and a sale of a commodity information.

As per claim 19, Giuliani disclose an electronic commerce system aiding in a purchase and a sale of a commodity, comprising:

a registered commodity data storing unit storing information about a sale or purchase desire of a commodity. (Note abstract and see column 1 line 65 and column 2 lines 5-65).

Giuliani, Sato and Champion does not explicitly teach a registered commodity data storing unit storing information about a sale or purchase desire of a commodity along with a public condition, and a unit making the sale or purchase desire of the commodity public if the public condition stored in said registered commodity data storing unit is satisfied. It would have been obvious to one of ordinary skill in the art at the time the invention was made that the teachings of Giuliani modify to include Sato and Champion could have perform these functions of making the sale or purchase desire of the commodity public if the public condition stored in the registered commodity data storing unit is satisfied.

The benefit would have been to have the public participating in the purchase and a sale of a commodity.

As per claim 20, Giuliani disclose an electronic commerce system aiding in a purchase and a sale of a commodity, comprising:

a registered commodity data storing unit storing a desired sale or purchase price of a commodity, and information about a change condition and a change price of the desired sale or purchase price. (Note abstract and see column 1 line 65 and column 2 lines 5-65). Giuliani does not explicitly teach disclose searching unit searching for a desired price. However Sato disclose searching unit searching for a desired price.(See column 16 line 25). Sato also disclose delivery of commodity. (See column 6 lines 40-45). Sato does not explicitly teach information about a change condition and a change price of the desired price of a transaction partner that registers a sale of a designated commodity in response to a purchase request designating the commodity a desired price and information about a change condition and a change price of the desired price of a transaction partner that registers a purchase of a designated commodity in response to a sale request

designating the commodity, in registered commodity information stored in said registered commodity data storing unit. However Champion disclose searching unit searching for a desired price or and information about a change condition and a change price of the desired price of a transaction partner that registers a sale of a designated commodity in response to a purchase request designating the commodity.(See column 3 lines 15-25 and column 11 lines 40-65). Champion also disclose a desired price and information about a change condition and a change price of the desired price of a transaction partner that registers a purchase of a designated commodity in response to a sale request designating the commodity, in registered commodity information stored in said registered commodity data storing unit. (See column 4 lines 30-50 and column 11 line 60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Giuliani and Sato to include Champion in order to create an electronic commerce system aiding in a purchase and a sale of a commodity. The benefit would have been to the ability to search for a desired price or and information about a change condition and a change price and storing of all registered commodity data related to purchase and a sale of a commodity.

As per claim 21, Giuliani disclose an electronic commerce system aiding in a purchase and a sale of a commodity, comprising:
a registered commodity data storing unit storing a desired sale or purchase price of a commodity, and information about a change condition and a change price of the desired sale or purchase price. (Note abstract and see column 1 line 65 and column 2 lines 5-65). Giuliani does not explicitly teach disclose searching unit searching for a desired price. However Sato disclose searching unit searching for a desired price.(See column 16 line 25). Sato also disclose delivery of commodity. (See column 6 lines 40-45). Sato does not explicitly teach information about a change condition and a change price of the desired price of a transaction partner that registers a sale of a designated commodity in response to a purchase request designating the commodity a desired price and information about a change condition and a change price of the desired price of a transaction partner that registers a purchase of a designated commodity in response to a sale request designating the commodity, in registered commodity information stored in said registered commodity

data storing unit. However Champion disclose searching unit searching for a desired price
or and information about a change condition and a change price of the desired price of a
transaction partner that registers a sale of a designated commodity in response to a
purchase request designating the commodity.(See column 3 lines 15-25 and column 11
lines 40-65). Champion also disclose a desired price and information about a change
condition and a change price of the desired price of a transaction partner that registers a
purchase of a designated commodity in response to a sale request designating the
commodity, in registered commodity information stored in said registered commodity data
storing unit. (See column 4 lines 30-50 and column 11 line 60). It would have been obvious
to one of ordinary skill in the art at the time the invention was made
to modify the teachings of Giuliani and Sato to include Champion in order to create an
electronic commerce system aiding in a purchase and a sale of a commodity. The
benefit would have been to the ability to search for a desired price or and information
about a change condition and a change price and storing of all registered commodity
data related to purchase and a sale of a commodity.

As per claim 22, Giuliani disclose an electronic commerce system aiding in a
purchase and a sale of a commodity, comprising:
a registered commodity data storing unit storing a desired sale or purchase price of a
commodity, and information about a change condition and a change price of the desired
sale or purchase price. (Note abstract and see column 1 line 65 and column 2 lines 5-
65). Giuliani does not explicitly teach disclose searching unit searching for a desired
price. However Sato disclose searching unit searching for a desired price.(See column
16 line 25). Sato also disclose delivery of commodity. (See column 6 lines 40-45). Sato
does not explicitly teach information about a change condition and a change price of the
desired price of a transaction partner that registers a sale of a designated commodity in
response to a purchase request designating the commodity a desired price and
information about a change condition and a change price of the desired price of a
transaction partner that registers a purchase of a designated commodity in response to
a sale request designating the commodity, in registered commodity information stored in
said registered commodity data storing unit. However Champion disclose searching unit

searching for a desired price or and information about a change condition and a change price of the desired price of a transaction partner that registers a sale of a designated commodity in response to a purchase request designating the commodity.(See column 3 lines 15-25 and column 11 lines 40-65). Champion also disclose a desired price and information about a change condition and a change price of the desired price of a transaction partner that registers a purchase of a designated commodity in response to a sale request designating the commodity, in registered commodity information stored in said registered commodity data storing unit. (See column 4 lines 30-50 and column 11 line 60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Giuliani and Sato to include Champion in order to create an electronic commerce system aiding in a purchase and a sale of a commodity. The benefit would have been to the ability to search for a desired price or and information about a change condition and a change price and storing of all registered commodity data related to purchase and a sale of a commodity.

As per claim 23, Giuliani disclose a electronic commerce system aiding in a purchase and a sale of a commodity, comprising:
a registered commodity data storing unit storing a desired sale or purchase price of a commodity, and information about a condition changing the desired sale or purchase price. (Note abstract and see column 1 line 65 and column 2 lines 5-65). Giuliani, Sato and Champion does not explicitly teach a registered' commodity data storing unit storing a desired sale or purchase price of a commodity, and information about a condition changing the desired sale or purchase price depending on a time; and a unit changing a desired price of the commodity when a time stored in said registered commodity data storing unit elapses. It would have obvious to one of ordinary skill in the art at the time the invention was made that the teachings of Giuliani modify to include Sato and Champion could have perform these functions of documenting time as it relates to conditions changes in purchase price and the elapses time of storing unit. The benefit would have been to document the price changes within a commodity and the time those changes occurs.
As per claim 24, Giuliani disclose a computer-readable storage medium on which is recorded a program for causing a computer to perform a process aiding in a purchase and

a sale of a commodity, said process comprising: a registered commodity data storing unit storing information about a sale or purchase desire of a commodity. (Note abstract and see column 1 line 65 and column 2 lines 5-65). Giuliani, Sato and Champion does not explicitly teach a registered commodity data storing unit storing information about a sale or purchase desire of a commodity along with a public condition, and a unit making the sale or purchase desire of the commodity public if the public condition stored in said registered commodity data storing unit is satisfied. It would have been obvious to one of ordinary skill in the art at the time the invention was made that the teachings of Giuliani modify to include Sato and Champion could have perform these functions of making the sale or purchase desire of the commodity public if the public condition stored in the registered commodity data storing unit is satisfied. The benefit would have been to have the public participating in the purchase and a sale of a commodity.

Response to Arguments

5.   Applicant's argument's filed on 3/12/04 has been considered but they are not persuasive.

6. No patentable weight was given to the following limitations:

for changing the desired sale or purchase price according to elapse of time or purchase and sale states of other companies, (claims 1-4, 10-24) "**would have been intended use of the system**" and

thereby providing automatic strategic price setting according to the elapse of time or the purchase and sale states of the other companies by initially setting the information about the commodity to be transacted and automatically changing from private to public the information about the commodity according to the elapse of time or transaction states of the other companies based on the public condition in (claims 1-4, 10-24) Apparatus/system/appliance claims must be distinguishable from the prior art in terms of structure rather than function (MPEP § 2114). These cited limitations of claim 4 are not structural limitations. In addition, claims 5 and 6 were not given patentable weight for the same reason. These limitations could be given patentable weight if they were amended to read " where as said unit" (as in claims 1-4, 10-24) providing automatic strategic price setting according to the elapse of time or the purchase and sale states of the other

companies by initially setting the information about the commodity to be transacted and automatically changing from private to public the information about the commodity according to the elapse of time or transaction states of the other companies based on the public condition.

. Any such amendments must of course be supported by the original disclosure.

Conclusion

7.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.
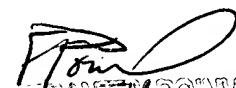
8.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 703-305-1874. The examiner can normally be reached on lam to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-0040 for regular communications and 703-305-0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CG

October 12, 2005